

## Meeting Minutes



### Joint Commission on Health Care

Wednesday, November 7, 2018 – 9:00 a.m.

Senate Committee Room A- Pocahontas Building

#### Members Present

Delegate David L Bulova

Delegate Benjamin L. Cline

Delegate T. Scott Garrett, Vice Chair

Delegate Patrick A. Hope

Delegate Riley E. Ingram

Delegate Kaye Kory (call in)

Delegate Christopher K. Peace

Delegate Christopher P. Stolle

Senator George L. Barker

Senator Charles W. Carrico, Sr.

Senator Rosalyn R. Dance, Chair

Senator Siobhan S. Dunnavant

Senator John S. Edwards (call in)

Senator L. Louise Lucas

Senator Glenn H. Sturtevant, Jr.

Senator David R. Suetterlein

Secretary Daniel Carey, MD

#### Members Absent

Delegate C.E Cliff Hayes, Jr.

Delegate Roslyn C. Tyler

#### Staff Present

Michele Chesser

Paula Margolis

Andrew Mitchell

Stephen Weiss

Agnes Dymora

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#### CALL TO ORDER

Senator Dance called the meeting to order.

#### PRESENTATIONS

##### Developmental Disabilities Waivers

Dawn Traver presented an update to the Developmental Disabilities Waivers status. She provided new figures for how many waivers were filled and which are still on the waiting list. She also talked about housing and managed care. She concluded with an update on supports packages.

##### VHI Annual Report

Michael Lundberg highlighted VHI's background information and provided revenue figures. He then spoke about VHI's involvement in "Connect Virginia" and the success that has provided. He also spoke about the all payer claims database and the agencies that use it.

##### Addiction Uncuffed

Courtney Nunnally spoke about her experience as an addict, how she was able to overcome her addiction and her current work helping addicted individuals in the community. She spoke about the resources needed in the Commonwealth to address problems that lead individuals into addiction. Captain Mitten of the Richmond Police Department spoke about the help that Courtney gives in reaching addicts who may want to consider treatment for their addiction.

### **Decision Matrix**

Staff presented their policy options and public comments and members voted on the following options:

#### **Medical Aid in Dying**

Option 1. Take no action. *Approved by 10-6 vote.*

#### **Quality of Health Care Services in Virginia Jails and Prisons, and Impact of Requiring Community Services Boards to Provide Mental Health Services in Jails (Final Report)**

Option 5. Introduce legislation to amend Chapter 53.1 of the Code of Virginia by adding that the VADOC Continuous Quality Improvement (CQI) Committee for state operated prisons become part of the required duties of VADOC and that standardized quality reports be developed and made available to the public on the VDOC website. *Approved by 14-0 vote with one absentia.*

Option 6. Introduce legislation to amend the Code of Virginia by adding in Chapter 53.1-5 to require the BOC to adopt minimum health care standards for local and regional jails that are not accredited by the American Correctional Association or National Commission on Correctional Health Care. Such standards should require that standardized quarterly CQI reports be submitted to BOC from all local and regional jails and that the report be made available to the public on the BOC website. *Approved by 15-0 vote.*

Option 8. By letter from the JCHC Chair, request that the Compensation Board, Department of Behavioral Health and Developmental Disabilities, and Director of Health Services for the Virginia Department of Corrections create a single statewide HIPPA compliant release form that can be used by all offenders and persons being served through the community services boards and state psychiatric system that will allow for easier sharing of data and medical information among the different organizations that receive state funds. A joint written report with the approved form is to be submitted to the JCHC by October 1, 2019. *Approved by 15-0 vote.*

Option 9. By letter from the JCHC Chair, request that the Secretary of Health and Human Resources, Secretary of Administration and the Secretary of Public Safety and Homeland Security establish a “Local and Regional Jail and Mental Health and Substance Use Disorder Best Practice Committee” and designate the appropriate state agency members to serve on the committee. The committee should conduct an annual forum for state and local officials to identify and share experiences and processes used at the state and local level of government to overcome barriers and improve the delivery of services between local and regional jails and the state psychiatric system and community services boards. *Approved by 15-0 vote.*

#### **Requiring the Installation of Onsite Temporary Emergency Electrical Power Sources for Assisted Living Facilities**

Option 2. Introduce legislation to amend the Code of Virginia by adding in § 63.2-1732 that the Virginia Department of Social Services require all licensed assisted living facilities to have Back Up Emergency Generators onsite and in operating order pursuant to the appropriate standards established by the NFPA 110-1 taking into consideration the requirements, exemptions and extensions contained within the laws of Maryland. *Failed by 7-8 vote with one absentia.*

(NEW) Option 6. Introduce legislation to amend section 63.2-1732 of the Virginia Code by including the following language: Assisted Living Facilities shall disclose to prospective residents, prior to admission as evidenced by the written acknowledgment of the resident or his legal representative, whether or not the facility has an onsite emergency backup electrical generator and whether or not the backup electrical generator provides power to the entire facility or only to selected utilities and appliances as listed in the disclosure. *Approved by 16-0 vote.*

## **ADHD Prevalence and Risks of ADHD Medications in Virginia**

Option 1. Take no action. *Approved by 16-0 vote.*

## **Pharmacy Drug Disposal Program**

Option 1. Take no action. *Failed by 3-13 vote.*

Option 2. Introduce legislation to amend § 54.1-3319 of the Code of Virginia to add counseling on medicine disposal to the list of topics on which pharmacists may counsel persons who present a new prescription for filling (Code currently only lists storage as a topic). *Approved by 16-0 vote.*

(NEW) Option 5. Introduce legislation (Uncodified Act) directing the Board of Pharmacy to work with stakeholders to determine ways to enhance public awareness of proper drug disposal methods, including existing community-based disposal and collection opportunities. *Approved by 16-0 vote.*

## **Addiction Relapse Prevention Programs in the Commonwealth**

Option 2. *Introduce a budget amendment (language only) requesting that the Department of Corrections and Department of Health explore the potential use of federal substance addiction funds, such as the State Opioid Response grant, to support SUD-related components of Day Reporting Centers in 3 DOC probation and parole districts (Richmond City, Norfolk City, Buchanan/Tazewell) experiencing the highest rates of positive opioid drug tests results and overdoses among individuals on state probation supervision, with the Day Reporting Centers offering non-pharmacological SUD treatment and recovery services as well as wraparound supports to offenders in need of initial or ongoing SUD services.*

*OR, if federal substance addiction funds are not available:*

Introduce a budget amendment to support the placement of Day Reporting Centers in 3 DOC probation and parole districts (Richmond City, Norfolk City, Buchanan/Tazewell) that experience the highest rates of positive opioid drug tests results and overdoses among individuals on state probation supervision, with the Day Reporting Centers offering non-pharmacological SUD treatment and recovery services as well as wraparound supports to offenders in need of initial or ongoing SUD services.

- DOC estimates an annual cost of \$660,000 per Day Reporting Center (\$1,980,000 total)
- DOC anticipates seeking funding for additional Recovery Support Navigators in 11 probation and parole districts identified as high-need for OUD services.

*Approved as amended by 8-3 vote with two absentia.*

Option 6: ~~Introduce legislation (Uncodified Act) requiring~~ *By Letter of the JCHC Chair, request* that the Secretaries of HHR and PSHS to convene a workgroup that includes representatives of DBHDS, DHP, DMAS, VDH, DARS, DSS, DCJS, DOC, the Attorney General's Office, VSP and DVS to study the current alignment and coordination of information made available through State agencies on substance use disorder treatment and recovery resources, making recommendations to the General Assembly and JCHC by November 1, 2019 on legislation and/or budget amendments required to improve alignment and coordination of SUD treatment/recovery resource information made available by State agencies. *Approved as amended by 13-0 vote.*

## **Result of DBHDS Work Group on Improving the Quality of Direct Support Professional Workforce for the Developmental Disability Waiver Population**

Option 2: Direct DBHDS to develop and/or amend regulations to require providers to certify trainings and to issue training certificates, so that they become portable to the employee. *Failed by 5-9 vote.*

Option 4: Take no action. *Failed by 6-8 vote.*

(NEW) Option 5: Require former employers to provide job performance review to new employers with signed permission from employee. *Failed by 7-7 vote.*

Adjourn

Electronic Meeting: YES

Delegate Kory and Senator Edwards had a conflict of schedule and were not able to be physically present.

Prepared by: Agnes Dymora